REMARKS

In response to the Office Action dated January 10. 2006 Applicants respectfully request reconsideration.

Claim Rejections - 35 USC § 103

Claims 1-4, 6, 8-9, 14-19, 21, 23, 28-34, 36-41, 43-48 and 50-53 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,909,023 (Ono) in view of U.S. Patent 6,941,273 (Loghmani). Claims 3, 4, 15, 40, 52 and 53 have been canceled without prejudice, rendering the rejection moot. Applicants respectfully assert that the remaining claims are patentable over Ono and Loghmani.

Regarding independent claim 1, Ono and Loghmani alone or in combination do not teach, disclose, or suggest a method for providing a user an interface to a voice application including selecting an application for the user as a function of the time of day. Ono discusses a process for selecting only those products or goods having a higher purchase frequency (Col. 5 lines 30-32). Purchase intervals are based on the dates between purchases (Col. 6 lines 41-59, cited by the Examiner). Thus Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest presenting products based on the time of day. In contrast, claim 1 recites a method for providing a user an interface to a voice application including selecting an application service from the plurality of services for the user, without the user requesting said application service, as a function of information representative of the user's past access to the application, wherein the information includes a time of day and a date, and the selecting includes determining, for a predetermined number of time periods, a number of times the user selected a particular application service during the predetermined number of time periods. Loghmani discusses a voice-optimized database and a method of using audio vector valuation to search a voice-optimized database and to enhance existing, non-voice-enabled databases to perform searches from spoken queries (col. 1 ln 13-16). The methods discussed in Loghmani do not interpret speech based on a time period. In contrast, claim 1 recites providing the application service to the user if the number of times the user selected the application service during the predetermined number of time periods is equal to or above a first predetermined threshold and if the accuracy of the speech recognition is within a predetermined accuracy range.

Thus, the voice recognition in claim 1 utilizes time based application selection data to interpret speech. Loghmani does not teach, disclose or suggest similar functionality. For at least these reasons, independent claim 1 and claims 2, and 5-14 that depend directly or indirectly from claim 1, are patentable over Ono in view of Loghmani.

Regarding independent claim 16, Ono and Loghmani alone or in combination do not teach, disclose, or suggest the recited selecting means. Claim 16 recites an apparatus including means for selecting an application service for a user based on a time of day. As discussed above, Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest presenting products based on the time of day. In contrast, claim 16 recites an apparatus for providing a user an interface to a voice application including means for selecting an application service for the user, without the user requesting the application service, as a function of information representative of the user's past access to the application, wherein the information includes a time of day and a date, and the selecting includes means for determining, for a predetermined number of time periods, a number of times the user selected a particular application service during the predetermined number of time periods. As discussed above, Loghmani discusses a voice-optimized database and a method of using audio vector valuation to search a voice-optimized database and to enhance existing, non-voice-enabled databases to perform searches from spoken queries (col. 1 ln 13-16), and not presenting data based on a time of day. Thus, Loghmani does not make up for the deficiencies of Ono. For at least these reasons, independent claim 16, and claims 17-19, 21, 23, and 28, that each depend directly or indirectly from claim 16, are patentable over Ono in view of Loghmani.

Regarding independent claim 29, neither Ono nor Loghman alone or in combination teach, disclose, or suggest a method for providing a user an interactive voice application including obtaining and storing information about one or more application services invoked by the user, wherein the information includes a time of day and a date. As discussed above, Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. In contrast, claim 29 recites a method for providing a user an interface to a voice application including obtaining and storing information about one or more application services invoked by the user, wherein the information includes a time of day and a date. As discussed above, Loghmani does not teach, disclose or suggest presenting data based on the time of day. For at least these

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reasons, applicants respectfully assert that independent claim 29, and claims 30-34 that depend directly or indirectly from claim 29, are patentable over Ono and Loghmani.

Regarding independent claim 36, Ono and Loghmani do not teach, disclose, or suggest an apparatus with instruction for causing a processor to obtain and store information about the one or more application services invoked by the user, wherein the information includes a time of day, a date and a location. As discussed above, Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. In contrast, claim 36 recites an apparatus including a server having a processor and memory, wherein the server includes instructions for causing the processor to obtain and store information about the one or more application services invoked by the user, wherein the information includes a time of day, a date and a location, and to provide the selected application service to the user. Also, as discussed above, Loghmani does not interpret speech based on a time period. For at least these reasons, applicants respectfully assert that claim 36, and claims 37-39, and 41, that depend directly or indirectly from claim 36, are patentable over Ono and Loghmani.

Regarding independent claim 43, Ono and Loghmani do not teach, disclose, or suggest an article of manufacture configured to cause a computer system to obtain and store information about a plurality of application services invoked by the user, wherein the information includes a time of day and a date. As discussed above, Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. In contrast, claim 43 recites an article of manufacture configured to cause a computer system to obtain and store information about a plurality of application services invoked by the user, wherein the information includes a time of day and a date. Also, as discussed above, Loghmani does not interpret speech based on a time period. For at least these reasons, applicants respectfully assert that claim 43, and claims 44-48 that depend from claim 43, are patentable over Ono and Loghmani.

Regarding independent claim 50, neither Ono nor Loghmani teach, disclose or suggest a method for providing a user interface for a voice application including selecting an application service as a function of the time of day and a date. As discussed above, Ono discusses presenting products based on a volume purchased over a number of days, and does not teach, disclose or suggest storing or presenting products based on the time of day. In contrast, claim 50

recites a method for providing a user an interface to a voice application including selecting an application service for the user, without the user requesting said application service, as a function of information representative of other users' past access to the application, wherein the information includes a time of day and a date, and providing the selected application service to the user. Also, as discussed above, Loghmani does not interpret speech based on a time period. For at least these reasons, applicants respectfully assert that independent claim 50, and claims 51 and 53 that depend from claim 50, are patentable over Ono and Loghmani.

Claims 50-54 stand rejected under 35 U.S.C. 103(a) as being anticipated by US Patent No. 6,266,649 (Linden) in view of Loghmani. Claims 52 and 53 have been canceled without prejudice rendering the rejection moot. Applicants respectfully assert that claims 50, 51 and 54 are patentable over Linden in view of Loghmani.

Regarding independent claim 50, neither Linden or Loghmani teach, disclose, or suggest providing an application services to a user as a function of the time of day. Linden discusses a recommendations service to recommend items to individual users based on a set of items that are known to be of interest to the user, such as a set of items previously purchased by the user (Abstract). The service generates the recommendations using a previously-generated table which maps items to lists of "similar" items. (Id). Linden does not teach, disclose or suggest making a recommendation to a user based on the time of day. In contrast, claim 50 recites a method for providing a user an interface to a voice application including selecting an application service for the user, without the user requesting said application service, as a function of information representative of other users' past access to the application, wherein the information includes a time of day and a date, and providing the selected application service to the user. As discussed above, Loghmani does not interpret speech based on a time period. For at least these reasons, applicants respectfully assert that claim 50, and claims 51 and 54 that each depend from claim 1, are patentable over Linden in view of Loghmani.

Claims 5 and 20 stand rejected under 35 USC §103(a) as obvious over Ono in view in view of Loghmani, and in further view of US Patent No. 6,298,330 (Gardenswartz). Applicants respectfully assert that these claims are patentable over Ono, Loghmani and Gardenswartz. The Examiner does not assert that Gardenswartz makes up for the deficiencies of Ono and Loghmani noted above with respect to claims 1 and 16. Thus, claims 5 and 20, that depend from claims 1

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and 16 respectively, are patentable over Ono in view of Loghmani, and in further view of Gardenswartz, for at least the reasons discussed above with respect to claims 1 and 16.

Claims 7 and 22 stand rejected under 35 USC §103(a) as obvious over Ono in view Loghmani, and in further view of US Patent No. 6,298,329 (Walker). Applicants respectfully assert that these claims are patentable over Ono, Loghmani and Walker. Walker discusses a method for generating point of sale coupons (Abstract). The coupons may have a validity based on a time of day (FIG. 10). Walker does not teach, disclose or suggest establishing a validity time as a function of the users past activities. In contrast, claims 1 and 16 recite selecting an application as a function representative of a users past access to the application, including a time of day and a date. Thus, Walker does not make up for the deficiencies of Ono and Loghmani noted above with respect to claims 1 and 16. Thus, claims 7 and 22, that depend indirectly from claims 1 and 16 respectively, are patentable over Ono in view Loghmani, an in further view of Walker for at least the reasons discussed above with respect to claims 1 and 16.

Claims 10-12 and 24-26 stand rejected under 35 USC §103(a) as obvious over Ono in view Loghmani, and in further view of US Patent No. 5,646,986 (Sahni). Applicants respectfully assert that these claims are patentable over Ono and Sahni. First, applicants respectfully assert that Sahni is not in the same field of endeavor as Ono. Ono discusses an online shopping support method and system capable of supplying proper services matching user specific needs and conditions. Sahni discusses trunk allocation in a communication system based on a history of network use. Applicants respectfully assert that allocating trunks is not in the same field of endeavor as online shopping. Therefore, there is no motivation to combine Sahni and Ono and Loghmani. Second, even if Ono, Loghmani and Sahni were combined as suggested in the Office Action, the Examiner does not assert that Sahni makes up for the deficiencies of Ono and Loghmani noted above with respect to claims 1 and 16. Thus, claims 10-12 and claims 24-26 that directly and indirectly depend from claims 1 and 16 respectively, are patentable over Ono in view Loghmani and in further view of Sahni for at least the reasons discussed above with respect to claims 1 and 16.

Claim 13 stands rejected under 35 USC §103(a) as obvious over Ono in view Loghmani and in further view of US Patent No. 6,584,447 (Fox). Applicants respectfully assert that this claim is patentable over Ono, Loghmani and Fox. First, applicants respectfully assert that Fox is not in the same field of endeavor as Ono. Ono discusses an online shopping support method and

system capable of supplying proper services matching user specific needs and conditions. Fox discusses a method to analyze a sales forecast using weather and sales history. Applicants respectfully assert that a method to analyze a sales forecast using weather and sales history is not in the same field of endeavor as online shopping. Therefore, there is no motivation to combine Fox and Ono and Loghmani. Second, even if Ono and Fox were combined as suggested in the Office Action, the Examiner does not assert that Fox makes up for the deficiencies of Ono and Loghmani noted above with respect to claim 1. Thus, claim 13, that indirectly depends from claim 1, is patentable over Ono in view Loghmani and in further view of Fox for at least the reasons discussed above with respect to claim 1.
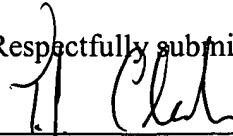
Claim 27 stands rejected under 35 USC §103(a) as obvious over Ono, in view Loghmani, in view of Sahni, as applied to claim 24, and further in view of Fox. Applicants respectfully assert that this claim is patentable over Ono and Loghmani and Sahni and Fox because, as discussed above, neither Sahni nor Fox is in the same field of endeavor as Ono, and neither make up for the deficiencies of Ono and Loghmani with respect to claim 16.

Claims 35, 42, and 49 stand rejected under 35 USC §103(a) as obvious over Ono in view of Loghmani, and further in view of US Patent No. 6,330,543 (Kepecs). Applicants respectfully assert that this claim is patentable over Ono, Loghmani and Kepecs because even if Ono, Loghmani and Kepecs were combined as suggested in the Office Action, the Examiner does not assert that Kepecs makes up for the deficiencies of Ono and Loghmani noted above with respect to claims 29, 36 and 43. Thus, claims 35, 42 and 49, that depend on claims 29, 36 and 43 respectively, are patentable over Ono in view Loghmani, and in further view of Kepecs for at least the reasons discussed above with respect to claims 29, 36 and 43.

Based on the foregoing, this application is believed to be in an allowable condition, and a notice to that effect is respectfully requested. The Examiner is invited to call the Applicants' Attorney at the number provided below with any questions.

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Respectfully submitted,

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